

UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF MICHIGAN

In Re:

Case No. 14-30028-DOF
Hon. OPPERMAN

BRETT SVATORA

**NOTICE OF PROPOSED POST-CONFIRMATION PLAN MODIFICATION AND NOTICE OF
DEADLINE TO OBJECT TO CHAPTER 13 PLAN MODIFICATION**

Debtor(s) have filed papers with the Court to Modify the confirmed Chapter 13 Plan.

An Order Confirming Plan had been entered. The Debtor(s) propose to modify the confirmed plan pursuant to LBR 3015-2(b) as follows:

1. In order to make their Chapter 13 Plan feasible moving forward, the Debtor seeks to increase his current Chapter 13 Plan payments to \$305.00 weekly (see attached Plan Calc).
2. The Class 5.2 'modified' secured claim of Credit Acceptance Corporation shall be modified to be paid as a Class 5.1 'modified' secured claim to be paid in equal monthly payments of \$170.17 @ 4% per annum beginning with the first disbursement to be made following the allowance of this Plan Modification.
3. The debtor seeks to excuse the current delinquency to the Chapter 13 Trustee. Debtor has not missed any payments. However, some payments have been short due to reduced hours at work. The short payments were for the calendar year 2014. For the year 2014, Debtor's gross income was only \$31,300 (Schedule I anticipated gross income of \$34,652).

In all other respects, the Order Confirming Plan referred to above shall remain in full force and effect.

The proposed modification has the following impact on the following classes of creditors being paid by the Trustee as follows:

- a. Class one administrative claims – Hensel Law Office, PLLC will file a Fee Application to receive any further compensation in this matter;
- b. Class two continuing claims – none;
- c. Class three executor contracts/unexpired lease – none;
- d. Class four arrearage on continuing claims – none;
- e. Class five (a) secured purchase money security interest claims –Credit Acceptance Corporation shall be modified to be treated as a Class 5.1 claim;
- f. Class five (b) other secured claims – none;
- g. Class six priority unsecured claims – none;
- h. Class seven special unsecured claims – none;
- i. Class eight general unsecured claims – none;

Attached as Exhibit (1) is a Proposed Order Modifying said Plan in accordance with this Proposed Post-Confirmation Plan Modification. Attached as Exhibit (2) is a copy of the Plan Calc. Attached as Exhibit (3) is a copy of the liquidation analysis. Attached as Exhibit (3) is Debtor's income

summary for 2013 and 2014.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult with one.)

If you do not want the Court to allow Debtors' Proposed Chapter 13 Plan Modifications, or if you want the Court to consider your views on modification, within twenty-one (21) days from the date of the service of the motion, you or your attorney must:

1. File with the Court a written response or an answer (complying with F.R.Civ.P. 8(b)(c) and (e), explaining your position at:

United States Bankruptcy Court
226 W Second St.
Flint, MI 48502

If you mail your response to the Court for filing, you must mail it early enough so the Court will **receive** it within the above-stated time period.

2. Mail a copy to:

CARL BEKOFKSKE
Chapter 13 Trustee
400 N. Saginaw St, Ste. 331
Flint, MI 48502

Hensel Law Office, PLLC
Attorney for Debtor
36250 Dequindre Rd., Ste. 410
Sterling Heights, MI 48310

If a response or answer is timely filed and served, the clerk will schedule a hearing on the motion and you will be served with a notice of the date, time and location of the hearing.

If you or your attorney do not take these steps, the Court may decide that you do not oppose the relief sought in the notice and may allow the modification.

Respectfully submitted,

/S/ Thomas M. Hensel, Jr.
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